

IN THE SPECIAL COURT OF EMINENT DOMAIN
DESOTO COUNTY, MISSISSIPPI

MISSISSIPPI TRANSPORTATION COMMISSION

PLAINTIFF

VERSUS

CIVIL ACTION NO. Co. 2000-0443

JERRY WAYNE PECK, ET AL

DEFENDANTS

AMENDED LIS PENDENS NOTICE

TO THE CHANCERY CLERK OF DESOTO COUNTY:

You are hereby notified that the Mississippi Transportation Commission is seeking to acquire by eminent domain and has this day filed an Amended Complaint to acquire fee ownership in the lands described in Exhibit "A" attached hereto and incorporated herein.

The interested parties are:

- (1) MISSISSIPPI TRANSPORTATION COMMISSION, PLAINTIFF.
- (2) JERRY WAYNE PECK, BENEFICIARY AND AS TRUSTEE, DEFENDANT.
- (3) HENRY M. LABICHE, BENEFICIARY, DEFENDANT.
- (4) DONNIE G. PRICE, BENEFICIARY, DEFENDANT.
- (5) ANNE HUNGERFORD, DEFENDANT.
- (6) MINOR BANKS LEWIS, RIGHT-OF-WAY OWNER, DEFENDANT.
- (7) LEWIS MORROW, JR., RIGHT-OF-WAY OWNER, DEFENDANT.
- (8) MINOR MORROW LEBLOND, RIGHT-OF-WAY OWNER, DEFENDANT.
- (9) NESBIT WATER ASSOCIATION, INC., EASEMENT OWNER, DEFENDANT.
- (10) PECK OUTDOOR ADVERTISING, INC., DEFENDANT.
- (11) REGIONS BANK, SUCCESSOR IN INTEREST TO UNITED AMERICAN BANK, ASSIGNEE AND BENEFICIARY, DEFENDANT.
- (12) ELLER OUTDOOR ADVERTISING COMPANY OF MEMPHIS, DEFENDANT.
- (13) MISSISSIPPI STATE TAX COMMISSION, JUDGMENT LIENHOLDER, DEFENDANT.

You are further requested to include this Notice and Exhibit "A" hereof in the Lis Pendens for records of said County as provided by law.

THIS, the 19th day of October, 2000.

Respectfully submitted,

MISSISSIPPI TRANSPORTATION COMMISSION

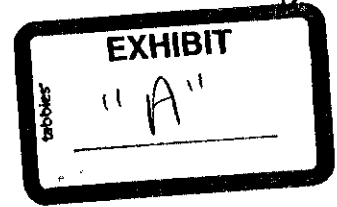
By: M. Andrew McDonald
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Mississippi Bar No. 99629

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STATE MS. - DESOTO CO. BC
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022-1-00-W;
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IN THE SPECIAL COURT OF EMINENT DOMAIN
DeSOTO COUNTY, MISSISSIPPI

MISSISSIPPI TRANSPORTATION COMMISSION

PLAINTIFF

VS.

CIVIL ACTION NO. _____

JERRY WAYNE PECK, ET AL

DEFENDANTS

EXHIBIT "A"

INDEXING INSTRUCTIONS: City of Hernando, Lot 2, Peck
Industrial Subdivision as Recorded
in Plat Book 18, Page 46,
Chancery Clerk's Office of
Desoto County, Mississippi,
Section 36,
Township 2 South, Range 8 West and
Southeast 1/4 and the Northeast 1/4
of Section 36,
Township 2 South, Range 8 West,
Partly in the City of Hernando,
Desoto County, Mississippi

PARCEL NO. 1

Begin at the point of intersection of the Southern line of
Defendants property with the present Western right-of-way
line of Interstate Highway No. 55 as shown on the plans for
State Project No. 94-0029-02-007-10 (102552/001000) from
said point of beginning run thence South 89° 29' 00" West,
along said Southern property line, a distance of 30.480
meters (100.000 feet) to the Western line of Defendants
property; thence run North 00° 19' 47" West, along said
Western property line, a distance of 325.940 meters
(1069.357 feet) to a Northern line of Defendants property;
thence run North 88° 59' 25" East, along said Northern
property line a distance of 30.023 meters (98.501 feet) to

the present Western right-of-way line of Interstate Highway No.55; thence run South $00^{\circ} 24' 37''$ East along said present Western right-of-way line a distance of 326.197 meters (1,070.200 feet) to the point of beginning, containing 0.986 hectares (2.437 acres), more or less, and being situated in and a part of the Southeast $1/4$ of the Southeast $1/4$, and the Northeast $1/4$ of the Southeast $1/4$ of Section 36, Township 2 South, Range 8 West, City of Hernando, desoto County, Mississippi, and

PARCEL NO. 2

Begin at the point of intersection of the Eastern line of Defendants property with the centerline of survey of State Project No. 94-0029-02-007-10 (102552/001000); from said point of beginning run thence South $00^{\circ} 13' 17''$ West along said Western line of Defendants property, a distance of 57.661 meters (189.176 feet) to the Southern line of Defendants property; thence run North $86^{\circ} 39' 48''$ West along said Southern line of Defendants property, a distance of 60.746 meters (199.298 feet) to the present Eastern right of way line of Interstate Highway No.55; thence run Northerly along said present Eastern right of way line and the circumference of a circle to the right having radius of 1698.677 meters (5573.087 feet), an arc distance of 262.472 meters (861.129 feet) [said arc having a chord bearing of North $04^{\circ} 32' 01''$ West for a distance of 262.211 meters (860.272 feet)]; thence run North $00^{\circ} 06' 58''$ West along said present Eastern right-of-way line, a distance of 639.764 meters (2,098.963 feet) to the Northern line of Defendants property; thence run North $89^{\circ} 37' 33''$ East along said Northern property line, a distance of 16.929 meters (55.541 feet); thence run South $01^{\circ} 04' 15''$ East, a distance of 141.120 meters (462.992 feet) to a point that is 65.000 meters (213.255 feet) Easterly of and perpendicular to centerline of survey of Interstate Highway No. 55 at Station 17 + 350; thence run South $01^{\circ} 38' 37''$ East, a distance of 150.053 meters (492.300 feet) to a point that is 69.000 meters (226.378 feet) Easterly of and perpendicular to the centerline of survey for said Interstate Highway No. 55 at station 17 + 200; thence South $03^{\circ} 51' 35''$ East, a distance of 72.192 meters (236.850 feet) to a point that is 23.000 meters (75.459 feet) Easterly of and perpendicular to the centerline of survey of Ramp "C" at Station 1 + 062.833; thence South $12^{\circ} 45' 26''$ East, a distance of 106.578 meters (349.665 feet) to a point that is 25.000 meters (82.021 feet) Easterly of and measured radially to the centerline of survey of Ramp "C" at Station 1 + 175.000; thence run South $26^{\circ} 26' 34''$ East, a distance of 71.514 meters (234.626 feet) to a point on the Eastern line of Defendants property; thence South $00^{\circ} 13' 17''$ West, along said Eastern property line a distance

of 316.047 meters (1,036.900 feet) to the point of beginning, containing 4.470 hectares (11.046 acres), more or less, and being situated in and a part of the Southeast 1/4 of the Southeast 1/4, and the Northeast 1/4 of the Southeast 1/4, and the Southeast 1/4 of the Northeast 1/4 of Section 36, Township 2 South, Range 8 West, Desoto County, Mississippi, and

PARCEL NO. 3

Begin at a point that is 25.000 meters (82.021 feet) Northeasterly of and measured radially to the centerline of survey of Ramp "C" at Station 1 + 175 as shown on the plans of State Project No. 94-0029-02-007-10 (102552/001000); from said point of beginning run thence North 37° 17' 17" East, a distance of 53.244 meters (174.685 feet) to a point on the Eastern line of Defendants property; thence run South 00° 13' 17" West along said Eastern property line, a distance of 106.393 meters (349.058 feet); thence run North 26° 26' 34" West, a distance of 71.514 meters (234.626 feet) to the point of beginning, containing 0.171 hectares (0.422 acres), more or less, and being situated in and a part of the Northeast 1/4 of the Southeast 1/4, Section 36, Township 2 South, Range 8 West, Desoto County, Mississippi, and

PARCEL NO. 4

Begin at the point of intersection of a Southern line of Defendants property with the present Western right-of-way line of Interstate Highway No. 55 as shown on the plans for State Project No. 94-0029-02-007-10 (102552/001000); from said point of beginning run thence South 89° 53' 10" West, a distance of 27.153 meters (89.085 feet); thence run North 01° 15' 31" East, a distance of 71.057 meters (233.127 feet) to a point that is 72.000 meters (236.220 feet) westerly of and perpendicular to the centerline of survey interstate Highway No. 55 at Station 17 + 350 as shown on the plans for said project; thence run North 03° 38' 28" East, a distance of 143.024 meters (469.239 feet) to the Northern line of Defendants property; thence run South 84° 27' 08" East along said Northern property line, a distance of 17.014 meters (55.820 feet) to the present Western right-of-way line of Interstate Highway No. 55; thence run South 00° 06' 54" West along said present Western right-of-way line, a distance of 212.076 meters (695.787 feet) to the point of beginning, containing 0.491 hectares (1.213 acres), more or less, and being situated in and a part of City of Hernando, Lot 2, Peck Industrial Subdivision as recorded in Plat Book 18, Page 46, Chancery Clerk's Office of Desoto County, Mississippi, Section 36, Township 2 South, Range 8 West.

Parcels No. 1, 2, 3 and 4 contain an aggregate of 6.118 hectares (15.118 acres), more or less.

Together with any and all abutters rights of access, if any, in, to, over, on and across the lands in Parcel 1, Parcel 2, and Parcel 4 as designated above.

All of the above excepting and excluding therefrom all oil and gas and other minerals which may be produced through a well bore.